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10 UNITED STATES DISTRICT COURT
11 FOR THE EASTERN DISTRICT OF WASHINGTON

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 KATRINA MICHELLE MARADEE
16 ADAMS,

17 Defendant.

No. 2:18-CR-00031-WFN-2

**UNITED STATES’
SENTENCING
MEMORANDUM**

18 Plaintiff, United States of America, by and through William D. Hyslop,
19 United States Attorney for the Eastern District of Washington, and Alison L.
20 Gregoire and James A. Goeke, Assistant United States Attorneys for the Eastern
21 District of Washington, submits the following Sentencing Memorandum:

22 **I. STATEMENT OF FACTS**

23 A series of CyberTips brought the co-Defendant MIKHAIL YURIY
24 AGEYEV (“AGEYEV”) to law enforcement’s attention. A search warrant was
25 obtained for his residence and AGEYEV was arrested. When AGEYEV was
26 interviewed, he indicated not only that he had received and distributed child
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1 pornography, but that he had produced child pornography with KATRINA
2 MICHELLE MARADEE ADAMS' ("Defendant" and/or "ADAMS") child.

3 A forensic examination was conducted of AGEYEV's electronic devices,
4 and child pornography images and videos he produced were discovered. In the
5 photos were AGEYEV, ADAMS, and ADAMS' two-year old daughter.

6 A. Interview of ADAMS

7 ADAMS was located by law enforcement and consented to an interview
8 with her attorney present. She stated she had met AGEYEV two and half
9 months prior to AGEYEV's arrest on the dating site "Badoo" and had
10 exchanged phone numbers with him. She ultimately stated her child was in
11 sexually explicit photographs produced by the AGEYEV, but that she had never
12 agreed to the production of child pornography.

13 ADAMS subsequently pled guilty to conspiracy to produce child
14 pornography with AGEYEV. She explained in a subsequent statement
15 AGEYEV started talking to ADAMS about bringing another woman into their
16 relationship and, several conversations later, told her he was interested in
17 having sex with children.

18 AGEYEV sent ADAMS child pornography, specifically, a video of a
19 child using a dildo. ADAMS did not want to lose her relationship with
20 AGEYEV, so she purported to also be interested in children sexually. She
21 ultimately agreed to let her own daughter be used sexually by AGEYEV and
22 herself, and agreed to have the same photographed. ADAMS admitted
23 producing child pornography of her daughter with AGEYEV.
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1 B. Forensic Examinations

2 1. AGEYEV's Galaxy Phone

3 Relevant to ADAMS, on AGEYEV's Samsung Galaxy S8+ (made in
4 Vietnam) phone, 11 child pornography images and 2 child pornography videos
5 were located that ADAMS and AGEYEV had produced.

6 Five produced images (20171109 - 091205.jpg, 20171109 - 091230.jpg,
7 20171109091235.jpg, 20171109091238.jpg, and 20171109091242.jpg) depict
8 the exposed vagina of the two year old minor being touched by the hands of an
9 adult. They were created on November 9, 2017, using the camera of the Galaxy
10 S8+ (AGEYEV's phone).

11 One (1) child pornography image (20171109091326.jpg) depicts the
12 exposed vagina of the two year old being touched by AGEYEV's hand. It was
13 created on November 9, 2017, using the camera of the Galaxy S8+ (AGEYEV's
14 phone).

15 One (1) child pornography image (6646.jpeg) is a close-up depiction of
16 the two year old's exposed vagina being spread open by the hand of ADAMS.
17 This image was discovered on the Galaxy S8+ (AGEYEV's phone), but it was
18 also discovered on the personal cellular telephone of ADAMS, which was also
19 examined using Cellebrite, (as IMG_3746.HEIC). It was created on October
20 22, 2017. The image was created using the camera of ADAMS' cellular
21 telephone.

22 Three (3) child pornography images (8218.jpeg, 8220.jpeg, 8221.jpeg)
23 depict ADAMS performing oral sex on AGEYEV's erect penis. The two-year
24 old child is visible in each image sitting next to ADAMS. These images were
25 discovered on the Galaxy S8+ (AGEYEV's phone).

26 One (1) child pornography image (8217.jpeg) depicts the two year old
27 child masturbating AGEYEV's erect penis. This image was discovered on the
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1 Galaxy S8+ (AGEYEV's phone). The image was also located in ADAMS'
2 iCloud account, the content of which was obtained via a separate search warrant
3 (as detailed herein) as IMG_3823.HEIC. It was created using the camera
4 feature of ADAMS's iPhone, on October 28, 2017, and sent from the iPhone to
5 the phone number of Samsung Galaxy Seized from AGEYEV's Person (509-
6 771-3076) on November 2, 2017 at 1000 hrs PDT.

7 One (1) child pornography video file (20171030_104110.mp4) depicts
8 the two year old child kneeling on a bed next to Mikhail AGEYEV
9 masturbating his erect penis. The image was created on October 30, 2017, using
10 the camera of the Galaxy S8+ (AGEYEV's phone).

11 One (1) child pornography video file (20171109091329.mp4) depicts a
12 close-up of the exposed vagina of the two year old child being rubbed by
13 AGEYEV's hand. AGEYEV inserts a finger into the vagina of the child and
14 asks her if it feels good. The two year old child responds "no, my poo poo".
15 This video was created using the camera of the Galaxy S8+ (AGEYEV's
16 phone).

17 AGEYEV's phone also contained messages sent between ADAMS and
18 AGEYEV. The messages include discussions of plans to continue to molest
19 and rape ADAMS' daughter and to bring other women with children into their
20 sexual relationship.

21 2. ADAMS' iCloud

22 SA Rodney Weekes obtained a search warrant for ADAMS's iCloud
23 account, or the remote image of her cell phone. That account also obtained
24 images AGEYEV and ADAMS produced.

25 On October 22, 2017, at 0259 hours (PDT), ADAMS utilized the camera
26 feature of her personal cellular telephone to create a digital image entitled
27 "IMG_3746.HEIC". The digital image is described as a close-up photograph of
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1 an ADAMS' left hand spreading open the vagina of the two year old child.
2 AGEYEV was not present when that image was produced, but he did receive
3 the image as, on October 22, 2017, at 1003 hours (PDT), ADAMS sent the
4 image to AGEYEV's personal cellular telephone (509-771-3076).

5 "IMG_3823.HEIC" portrays AGEYEV lying naked on his back on a bed
6 with his right hand holding his erect penis. Kneeling on the bed next to
7 AGEYEV is ADAMS' daughter, wearing a pink shirt and sucking on a pacifier.
8 AGEYEV is using his left hand to hold ADAMS' daughter's hands to his erect
9 penis. The photograph was taken by ADAMS. The image was created utilizing
10 the camera feature on ADAMS's cellular phone on October 28, 2017.

11 "IMG_3824.HEIC" "IMG_3825.HEIC" and "IMG_3826.HEIC" portray
12 AGEYEV lying naked on his back on a bed with ADAMS lying naked on her
13 stomach next to him holding his erect penis with her left hand. Sitting on the
14 bed next to ADAMS is ADAMS' daughter, wearing a pink shirt, black pants,
15 and sucking on a pacifier. It is apparent from the angle of the shots and the
16 location of the individuals portrayed in the photos, AGEYEV took the
17 photograph. The images were created utilizing the camera feature on ADAMS's
18 cellular phone on October 28, 2017.

19 "IMG_3844.HEIC" portrays AGEYEV lying naked on his back on a bed
20 with ADAMS lying naked on her stomach next to him performing oral sex on
21 his erect penis. Sitting on the bed next to ADAMS is ADAMS' daughter,
22 wearing a pink shirt, black pants, and sucking on a pacifier. AGEYEV took the
23 photograph. The image was created utilizing the camera feature on ADAMS's
24 cellular phone on October 28, 2017.

25
26 On November 2, 2017, at 1000 hours (PDT), ADAMS sent the digital
27 images entitled "IMG_3823.HEIC" "IMG_3824.HEIC", "IMG_3825.HEIC",
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1 “IMG_3826.HEIC”, and “IMG_3844.HEIC”, described above to AGEYEV’s
2 personal cellular telephone (509-771-3076).

3 ADAMS’ iCloud also contained messages sent between ADAMS and
4 AGEYEV. The messaging includes ADAMS relaying sexual acts she had
5 dreams about performing on his son, discussion of sex acts to be performed on
6 ADAMS’s daughter, and bringing other children into the sexual relationship.
7 The two also discuss their plan to move in together with their children.

8 **II. SENTENCING CALCULATIONS**

9 The United States agrees with United States Probation that Defendant’s
10 Total Offense Level is 43, her Criminal History Category is I, and the resulting
11 guideline range is 600 months, which is the statutory maximum.

12 **III. SENTENCING FACTORS UNDER 18 U.S.C. §3553(a)**

13 **A. The Nature and Circumstances of the Offense and the History and** 14 **Characteristics of Defendant**

15 As is detailed extensively in the PSR, the nature and circumstances of the
16 offense, as pertains to Defendant ADAMS, involve her willingness to provide her
17 two-year old daughter to a pedophile and, indeed, agreement to abuse the child
18 herself, in order to hold on to her relationship with the pedophile, AGEYEV. As is
19 detailed in the electronic messages between the ADAMS and AGEYEV, the two
20 were making plans to move in together to enable this child abuse and exploitation
21 to continue indefinitely.

22 The lack of opportunity for outcry for the child victim is a very relevant
23 circumstance of the offense. The child victim was of such tender years, she did not
24 know what was happening to her and had limited verbal skills in any case, but
25 most importantly, she had nobody to outcry to. One of the people perpetrating the
26 abuse was her mother and her caretaker. Her own mother, ADAMS, was making
27 the toddler available for abuse. Far from protecting two-year old, her own mother
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1 provided and made her available to the person who would abuse her and then
2 ADAMS went on to abuse the girl as well.

3 B. The Need for the Sentence Imposed to Reflect the Seriousness of the
4 Offense, Promote Respect for the Law, and to Provide Just Punishment

5 The United States asks that the Court to sentence Defendant to imprisonment
6 for twenty-two years. The government also asks that the Court to order a lifetime
7 of supervised release. Such a significant sentence is necessary to reflect the
8 seriousness of the offense, promote respect for the law and provide just
9 punishment.

10 As a result of the Defendant's choices, and as a result of her actions, her
11 child will grow up without her biological mother. Her child's life will be changed
12 forever, as she grows up with a different name, in the custody of her grandparents.

13 C. The Need for the Sentence Imposed to Afford Adequate Deterrence to
14 Criminal Conduct

15 Numerous factors suggest a lengthy sentence is appropriate for ADAMS.
16 First, ADAMS did not seek to stop the abuse perpetrated against her child; the
17 abuse ceased only when AGEYEV was arrested for child pornography offenses.
18 Prior to AGEYEV's arrest, ADAMS was making plans to move herself and her
19 child in with AGEYEV, a situation that would have enabled the abuse and
20 exploitation of the child to go on indefinitely.

21 Second, ADAMS was conscious of the criminal nature of her conduct. After
22 AGEYEV was arrested, he told his sister (who had gone to visit him in the jail) to
23 ask ADAMS to delete all of the videos on her phone. The sister agreed, not
24 understanding that the videos were directly related to the charged misconduct, and
25 told ADAMS. ADAMS responded not to worry; she had already deleted
26 everything. Additionally, when ADAMS was asked about the abuse against her
27 child, she indicated she too had been abused by the AGEYEV and that she had
28 never consented to the production of child pornography and/or sexual abuse of her

1 child. ADAMS' hands could be seen in the child pornography photos, however.
2 When law enforcement indicated they wanted photographs of her hands for
3 comparison, ADAMS then scratched away the identifying marks on her hands.
4 When asked about the condition of her hands, she indicated she had a bad reaction
5 to soap.

6 To ADAMS's credit, however, she did plead guilty early on in the case and
7 deserves full credit for that acceptance of responsibility. What the United States
8 seeks to emphasize is that she did not choose to identify her child's abuser and end
9 the abuse on her own. Instead, the child's abuser was arrested and ADAMS took
10 some time in coming to terms with her own abuse of the child.

11 Ultimately, ADAMS had only known AGEYEV for about three months.
12 The United States asks the Court to consider how much damage was done in those
13 three months and to consider the future that was planned for the child when
14 sentencing ADAMS.

15 D. The Need for the Sentence Imposed to Protect the Public from Further
16 Crimes of Defendant

17 ADAMS maintains to the present time that she was not sexually interested in
18 children, but that AGEYEV was, and she maintained that she had such an interest
19 to appease AGEYEV. The United States believes the evidence supports ADAMS'
20 claim. The government did not identify series child pornography on ADAMS'
21 phone, nor did it identify conversations with other pedophiles on ADAMS' phone
22 and/or social medial accounts. This, however, should not make her less of a
23 concern for the Court, in terms of public safety.

24 While ADAMS is likely being honest in asserting but for AGEYEV's
25 interest in sexually abusing children, she would not have offered her own child up
26 for sexual abuse or abused her child herself. These assertions, however, even if
27 taken at complete face value, do not make ADAMS less of a danger. This is
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1 because—at the risk of stating the obvious—a person who would sexually abuse
 2 her own helpless child to appease a romantic partner presents a danger to society.
 3 It strains one to think of a worse crime for a mother to commit upon her child.
 4 While it is likely true that if AGEYEV had not been a pedophile, ADAMS might
 5 well have never sexually abused her child, the Court should take no solace in that
 6 possibility. This case demonstrates that ADAMS is so amenable to the desires of
 7 her paramours that she would permit the sexual abuse of her child. The danger
 8 posed to the public by such a person is and will remain very real.

9 E. The Need for the Sentence Imposed to Provide Defendant with Needed
 10 Educational or Vocational Training, Medical Care, or Other Correctional
 11 Treatment in the Most Effective Manner

12 Defendant has not identified any needed educational or vocational training.

13 F. The Kinds of Sentences Available

14 Defendant is subject to a sentence involving a term of imprisonment. The
 15 offense to which Defendant pled guilty carries a mandatory minimum sentence of
 16 fifteen years imprisonment.

17 G. The Kind of Sentence Contemplated by the Sentencing Guidelines

18 The Sentencing Guidelines contemplates a term of imprisonment.

19 H. Any pertinent policy statements issued by the Sentencing Commission

20 There are no pertinent policy statements in this case.

21 I. The Need to Avoid Unwarranted Sentence Disparity Among Defendants
 22 with Similar Records Who Have Been Found Guilty of Similar Conduct

23 The government's proposed sentence entails substantial downward variance
 24 from the guideline range.

25 **IV. RESTITUTION, FINES, ASSESSMENTS, AND FORFEITURES**

26 The Court should impose mandatory restitution and enter a final order of
 27 forfeiture as to the property identified in the preliminary order of forfeiture.
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1 Restitution is mandatory pursuant to 18 U.S.C. §§ 2259 and 3663A. The Court
2 should order that Defendant pay restitution in the full amount sought by the two year
3 old victim (joint and several with AGEYEV).

4 **V. GOVERNMENT’S SENTENCING RECOMMENDATION**

5 The government recommends the court impose a sentence to twenty-two
6 years imprisonment as well as a lifetime term of supervised release. The
7 government also recommends the Court order restitution to the victim.

8 Respectfully submitted this February 14, 2020.

9
10 William D. Hyslop
11 United States Attorney

12 s/ Alison L. Gregoire
13 Alison L. Gregoire
14 Assistant United States Attorney

15 s/ James A. Goeke
16 James A. Goeke
17 Assistant United States Attorney
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CERTIFICATE OF SERVICE

I hereby certify that on February 14, 2020 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

Andrea George

s/James A. Goeke

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